



UNITED STATES PATENT AND TRADEMARK OFFICE

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**MAIL**

**JUL 11 2005**

In re Application of: Blackwell, et al. )  
Application No. 09/944,699 ) *SUA SPONTE* DIRECTOR OFFICE  
Attorney Docket No. 0655/62869 ) WITHDRAWAL OF HOLDING OF TECHNOLOGY CENTER 2100  
Filed: August 31, 2001 ) ABANDONMENT *under 37 CFR 1.181*  
For: METHOD AND SYSTEM FOR )  
SENDING, RECEIVING AND MANAGING )  
MESSAGING DATA )


The request for withdrawal of erroneously issued Notice of Abandonment, filed April 11, 2005, is being treated as a petition under 37 CFR 1.181 for withdrawal of the holding of abandonment.

A review of the application reveals that a Notice of Abandonment was mailed to the Applicant on February 9, 2005. The notice incorrectly indicated that the instant application was being held abandoned for failure to respond to the Final Rejection Office action mailed on March 8, 2004. Applicant timely filed an extension of time for three (3) months (\$950.00) and a Notice of Appeal bearing a certificate of mailing under 37 CFR § 1.8(a) of September 8, 2004, such Notice and extension are currently located in the file.

In view of these facts, the abandonment of the application was clearly in error and is hereby **VACATED**. The Office regrets any inconvenience this may have caused.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to **WITHDRAW** the holding of abandonment and restore the instant application to pending status. The application will then be forwarded to the Legal Instruments Examiner for entry of the Request for Continuing Examination filed April 11, 2005 and then to the Examiner of record for prompt action on the merits.

Inquiries to this decision may be directed to Special Programs Examiner Brian Johnson at (571) 272-3595.

  
Brian L. Johnson 7/6/05  
Special Program Examiner  
Technology Center 2100  
Computer Architecture, Software, and Information Security